

In accordance with Paragraph 5 of the Amended Scheduling Order (ECF No. 196), as modified by the Joint Notice of Agreement to Modify Amended Scheduling Order (ECF No. 211) and the Second Joint Notice of Agreement to Change Scheduling Order Deadlines (ECF No. 216), Defendants/Counter-Plaintiffs (“American Tower”) file this written designation setting forth the name and address of each responsive expert witness who will offer testimony and opinions in this case:

1. **Stanley Besen**
Charles River Associates
1201 F Street, N.W., Suite 700
Washington, DC 20004-1229;
2. **Jeffrey Matthews**
Charles River Associates
2001 Ross Avenue, Suite 3535
Dallas, TX 75201-2911;
3. **Kim R. Robertson**
Trinity University
One Trinity Place
San Antonio, TX 78212;
4. **Jerrold Sadock**
195 N. Harbor Dr., Apt. 2004
Chicago, IL 60601;
5. **W. Bebb Francis III**
The Francis Law Firm, P.C.
112 E. Pecan Street, Suite 550
San Antonio, TX 78205-1517; and
6. **Anthony Wells**
C Squared Systems, LLC
65 Dartmouth Drive, Unit A3
Auburn, NH 03032.

American Tower reserves the right to elicit expert testimony, or lay opinion testimony, at the time of trial from any qualified person that would assist the jury in determining material issues of fact pursuant to the Federal Rules of Civil Procedure. In addition, American Tower reserves the right to name or call as a witness any person designated as an expert witness by other parties. American Tower makes no representation regarding the qualifications, conclusions and/or opinions of such experts designated by other parties, and reserves and does not waive its right to object as necessary or to challenge the relevance, qualifications, competency, reliability, methodology, mental impressions, opinions and conclusions of any witness designated by any other party.

American Tower reserves the right to designate additional experts or rebuttal experts as permitted by the Federal Rules of Civil Procedure. Further, American Tower specifically reserves the right to respond to and rebut any expert reports produced by TriStar or to rebut any other evidence presented by TriStar.

Dated: September 18, 2013

Respectfully submitted,

/s/ Jon G. Shepherd

Jon G. Shepherd
Texas State Bar No. 00788402
Courtney L. Gilbert
Texas State Bar No. 24066026
ALSTON & BIRD, LLP
2828 N. Harwood Street, Ste. 1800
Dallas, TX 75201
Telephone: (214) 922-3400
Facsimile: (214) 922-3899
jon.shepherd@alston.com
courtney.gilbert@alston.com

David M. Rownd (*Pro Hac Vice*)
Illinois State Bar No. 6207951
THOMPSON COBURN, LLP
55 E. Monroe Street, 37th floor
Chicago, IL 60603
Telephone: (312) 580-2311
Facsimile: (312) 580-2201
drownd@thompsoncoburn.com

Michael L. Nepple (*Pro Hac Vice*)
Missouri State Bar No. 42082
Edwin G. Harvey (*Pro Hac Vice*)
Missouri State Bar No. 30565
Jason A. Wheeler (*Pro Hac Vice*)
Missouri State Bar No. 52298
THOMPSON COBURN, LLP
One US Bank Plaza
St. Louis, MO 63101
Telephone: (314) 552-6149
Facsimile: (314) 552-7000
mnepple@thompsoncoburn.com
eharvey@thompsoncoburn.com
jwheeler@thompsoncoburn.com

Andrew P. Fishkin (*Pro Hac Vice*)
New York State Bar No. 2234714
FISHKIN LUCKS LLP
One Riverfront Plaza, Suite 220
Newark, NJ 07102
Telephone: (973) 536-2800
Facsimile: (973) 679-4435
afishkin@fishkinlucks.com

COUNSEL FOR DEFENDANTS/ COUNTER-
PLAINTIFFS

CERTIFICATE OF SERVICE

On September 18, 2013, I electronically submitted the foregoing document with the clerk of court for the U.S. District Court, Northern District of Texas, using the electronic case filing system of the court. I hereby certify that I have served all counsel and/or pro se parties of record electronically or by another manner authorized by Federal Rule of Civil Procedure 5(b)(2).

/s/ Jon G. Shepherd

Jon G. Shepherd